

THE GRAZING BULLETIN

DEPARTMENT OF THE INTERIOR

GRAZING SERVICE

MARCH 1940



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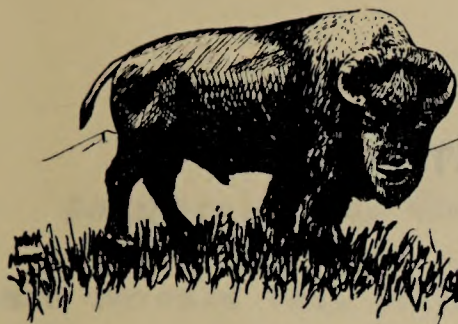
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THE GRAZING BULLETIN

Harold L. Ickes
Secretary of the Interior

Alvin J. Wirtz
Under Secretary

R. H. Rutledge
Director of Grazing

J. Q. Peterson
Editor-in-Chief

March 1940, Vol. 3, No. 2

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UNITED STATES
DEPARTMENT OF THE INTERIOR
GRAZING SERVICE
WASHINGTON, D. C.

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R. H. Rutledge, Director of Grazing

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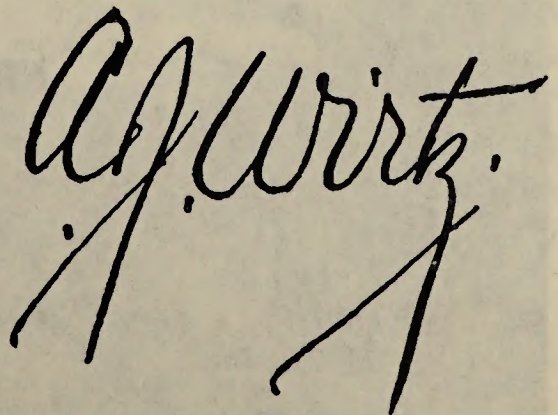
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FOREWORD

An appraisal of the conservation program during the past seven years reveals that perhaps no greater and lasting effort has been put forth than the activities which fostered the conservation of the western range and stabilization of the livestock industry upon the 134,000,000 acres of public land included within Federal grazing districts in the ten western States.

The protection, improvement, and development program that accompanies the utilization of this important national resource by 11,000,000 head of livestock affects nearly every person in the United States, because it is that vast area of the West which contributes so largely to the nation's food and clothing supply.

As Under Secretary I am deeply appreciative of the opportunity to assist further in the achievements that are sought by the Secretary of the Interior and the stockmen of the western range areas whose interests it is my eager desire to serve.

A handwritten signature in dark ink, appearing to read "A. J. Wirtz". The signature is written in a cursive, flowing style with a large initial "A" and a long, sweeping underline.

Under Secretary of the Interior.



Alvin J. Wirtz
Under Secretary of the Interior

UNDER SECRETARY WIRTZ

Alvin J. Wirtz, Under Secretary of the Interior, brings to his new office a background of training and experience which make him exceptionally well qualified for the job.

Born May 24, 1888, at Columbus, Texas, Mr. Wirtz has spent all his life in the southwestern part of that State, in the heart of the cattle country, and has a firsthand knowledge of the problems which confront the livestock industry.

Since he received his law degree from the University of Texas Law School in 1910, he has made a specialty of practice in connection with irrigation, reclamation, and water projects. He aided in bringing about six dams now located on the Guadalupe River. He watched for the Act passed by the Texas Legislature creating the Lower Colorado River Authority in 1935. From 1922 to 1930 Mr. Wirtz served as a member of the Texas Senate and was President pro tem of the Senate in the 39th Legislature.

Of the appointment of Mr. Wirtz, Secretary Ickes said: "I am delighted that President Roosevelt has appointed Alvin J. Wirtz Under Secretary of this Department. His liberal outlook and years of intimate association with activities in Texas, designed to conserve the natural resources of that area, fully qualify him for such a high post in this Department.

"I have known Mr. Wirtz for five years and have admired the way in which he carried out difficult projects. His record as General Counsel of the Lower Colorado River Authority demonstrates that he can do a hard job well and is not afraid to tackle tough problems."

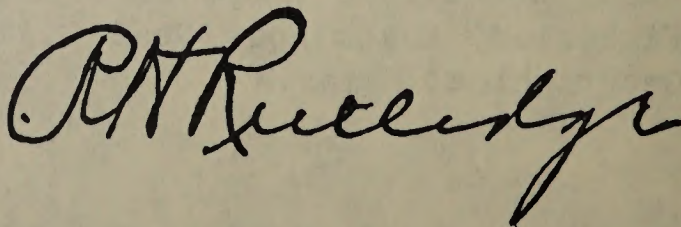
Mr. Wirtz succeeds Harry Slattery, now Administrator of the Rural Electrification Administration. The following offices and functions of the Department have been assigned to Under Secretary Wirtz: Grazing Service, National Park Service, Bureau of Reclamation, Bonneville Project, Bureau of Biological Survey, Bureau of Fisheries, Bituminous Coal Division, and United States Board of Geographical Names.

NEW LAND HORIZONS

In this issue of The Grazing Bulletin which is devoted to land problems, I want to express my appreciation of the whole-hearted manner in which all interests--the stockmen, the States, and the land agents of the railroads--are approaching the intricate, mutual problems which need solution. These matters are so complex that they cannot be solved under any cure-all formula or by any one stereotyped scheme. A lot of broad-gaged thinking, study, and hard work is going to be necessary to meet the varied situations. We shall need to use every device at our command--land-planning, exchange of use, exchange of title, lease arrangements, the Pierce Act--and we may have to secure legislation in some instances. We should not hesitate to venture into entirely new fields of effort to accomplish the desired results.

I feel absolutely confident that, with the businesslike pull-together which we are developing, we can work out these problems to the sound benefit of the livestock industry and of the landowners.

Upon a stable land-use policy I am sure we can build a stable livestock industry.

A handwritten signature in dark ink, appearing to read "R. H. Rutledge". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

R. H. Rutledge,
Director of Grazing.

THE LAND-PLANNING POLICY OF THE GRAZING SERVICE

The general function of the Grazing Service is to plan, manage, and execute a broad conservation program for the development, protection, and restoration of soil, water, and forage resources on the Federal range and to regulate the grazing thereon so that the dependent livestock industry may be stabilized around a profitable and orderly use of all the resources involved.

Fundamental in this program is a policy that will fit the complex land-ownership pattern of grazing districts into workable, manageable units, ranging in size from the small one-family set-up to a district, a State, or a drainage basin, each with its multitude of land-ownership problems.

From the time of the foundation of our Government to the beginning of the twentieth century and sporadically thereafter, there was present in our land laws a very evident desire to encourage the private acquisition of public land. Grants of land to States for educational purposes, to railroad and wagon-road companies as inducements to open up and link the West with the East, sales, gifts, military awards, the preemption act, the timber and stone act, the homestead laws, and hundreds of other Congressional acts succeeded in effecting the disposal of about two-thirds of the original 1,500,000,000 acres of public domain.

For many years, the public land policy of the United States was one chiefly concerning the homesteader and his needs. The efforts of Congress to make that policy effective were directed toward disposal of title so as to get the public land into private ownership and on the tax rolls of the various States and provide new homes and new wealth for a growing nation. This movement had spent itself nearly a decade ago because by that time, practically all the land suitable for private agricultural development had gone into private hands. Except for mineral values and recreational purposes, that which remained in public ownership was fit only for grazing and primarily usable as a supplement to improved privately controlled land. Practically all of the State and railroad land that remained undisposed of is likewise valuable mainly for grazing. This is true also of the majority of land that went to patent under the enlarged and stockraising homestead acts, much of which had reverted to counties in lieu of taxes.

To meet these new conditions, Congress passed the Taylor Grazing Act in 1934, providing for conservation of natural resources on the public domain. Under authority vested in the Secretary of the Interior, the Grazing Service was established in that Department to help administer that policy on vast grazing areas of the West.

One of the first problems to face the Grazing Service in undertaking its responsibilities was the designing of districts to effect as far as possible a community of interest in the land pattern. As it stands today, the average livestock set-up consists of private land and water (base property) serving as an integral part of year-long operations in connection with certain public land. Most stockmen selected their ranches with an eye on the free public grazing land to be used as a necessary part of the set-up. Thus, an interrelationship of public and private land became customary and traditional in the range States. This interrelationship was responsible for the clause in section 3 of the Taylor Grazing Act which directs that preferences in grazing privileges shall go to those engaged in the livestock business who have land and water dependent upon the public land for their proper use.

From southern New Mexico and Arizona, where grazing is yearlong and snow storms infrequent, to northern Montana and Idaho, where snow is so abundant as to limit grazing to a few months, there have been developed by the stockmen various types of set-ups to meet the conditions peculiar to the locality. In the southern climate, it was a matter of successful development of stock water; whereas in the north it was a matter of developing land capable of producing feed to carry the stock when natural forage was unavailable. The objectives, however, were the same, namely, to maintain a relationship between the public and private land upon which a successful economy might be made secure. Despite the adversity of weather trends and economic conditions, the livestock business was ordinarily successful in the range country. There was always the hazard of drought, but by and large the people were able to surmount this obstacle in one way or another. The one big stumbling block that seemed constantly present was the instability of the land pattern. The Taylor Grazing Act largely eliminated this latter hazard insofar as Government lands are concerned.

To carry out the conservation job entrusted to it and to assist in solving the various problems with which the people are confronted, the Grazing Service, Department of the Interior, has launched a well-defined land program. This program is centered around the fundamental principle of proper land use. The 53 grazing districts established under the Taylor Grazing Act contain a gross area of about 258,000,000 acres, an area greater than the combined area of Finland, France, and Hungary. An attempt to portray in color the diversity of land-ownership in certain grazing districts, would produce a spectrum that would shame Joseph's coat and a pattern that would outdo grandma's crazy quilt. It would be found that ten States, four railroad companies, scores of corporations, hundreds of counties, thousands of individuals, and Uncle Sam own and control this land in varying proportions. More than half of the total (141,000,000 acres) is in public ownership. The percentage of Federal land, which amounts to about 55 per cent in the aggregate, ranges from ten per cent in Montana Grazing District No. 1 to 90 per cent in Nevada Grazing District No. 1. The problem, then, is one that calls for plans designed on a workable basis that will simplify the landownership pattern in grazing districts. This simplification is obtained in the following ways:

1. Exchange
2. Lease
3. Cooperation
4. Exchange of use
5. Donation

Exchange: The Taylor Grazing Act provides for the exchange of public land for private and State land when public interest will be benefited thereby and the exchange will not interfere with the administration or value of the remaining public land in the district.

Lease: Under the Pierce Act of June 23, 1938, the Department of the Interior is authorized to lease State, county, or privately owned land, chiefly valuable for grazing purposes, lying within grazing districts, for 10-year periods at rentals equivalent to grazing fees collectible thereon. The grazing fees collected are in turn paid to the appropriate owners of such leased land. The person who obtains the grazing benefits pays the fee. When leased, this non-Federal land is administered under provisions of the Taylor Grazing Act and controlled by the same rules and regulations applicable to Federal land within the affected districts. Owners or their agents may negotiate such leases with the regional grazier.

Cooperation: Cooperation in the handling of land on a uniform basis is attained through agreements with agencies, groups, land companies, and local associations of stockmen. The principal object of such agreements is to bring about a coordinated use of the private, county, State, and repurchased land controlled by the respective parties or associations and the public land within a grazing district. Such cooperative arrangements promote unified control of the land involved and in that fashion serve to consolidate or simplify the land pattern of the area.

Exchange of Use: This method is used to consolidate or block areas in units suitable for administrative purposes without exchange of title. It has the same effect on the general objective as is accomplished by actual exchange, especially where the plan is executed on a long-term basis. This method fits into special situations; such as, "checkerboard" ownership areas or in cases in which the private land involves faulty titles or excessive rental fees.

Donation: Where it will promote the purposes of the grazing districts or facilitate administration, the Secretary of the Interior is authorized to accept on behalf of the United States any land within the exterior boundaries of a grazing district as a gift.

LAND-PLANNING POLICY:

To accomplish the broad purposes of the Taylor Grazing Act, a well-defined land policy loomed as a fundamental and necessary step in the conservation program. It underlay and became a vital part of range studies, protective measures, grazing control, range restoration, range management, and range improvement work. Carried to a logical conclusion, these combined efforts accomplish the next step--the stabilization of the livestock industry.

The Taylor Grazing Act is a tripod whose legs are: 1, conservation, improvement, development and protection of the natural resources; 2, management of these resources on a continuing and equitable basis; 3, stabilization of the livestock industry for the benefit of the economy of the region, the local tax structure, and the national welfare. A tripod cannot be secure unless all three legs are in position.

At the beginning of grazing district administration in 1934, the most urgent problem was to get the land under regulation and to devise ways and means for taking care of the livestock industry so far as the available range would permit. Matters such as land planning were obliged to wait additional facilities and experience. However, with the

help and cooperation of local advisory boards of stockmen, many possible mistakes were averted. Because of their familiarity with and knowledge of local land problems their assistance became a significant and lasting contribution to the success of the job.

Special social problems are present in many of the grazing districts, particularly in such congested areas as the Rio Grande watershed where much remains to be done to improve the standard of living of the local population. Because of the intrusion of commercial enterprise in excess of the combined resources in this area, an acute situation for the Indian and Spanish-American population exists. Studies for solution of these problems are well under way through inter-agency cooperation which sifts down to the fundamentals of proper land use under unified guidance and control.

Other local problems exist in other areas, and most of them go back to the lack of guidance or to the presence of competitive and improper use imposed upon the land. The land-planning policies of the Grazing Service are devised to influence, coordinate, and give impetus to the solution of such problems.

A careful examination of the grazing district landownership situation indicated a need for an overall land policy that would direct public attention to the whole conservation program and stimulate the factors that combine to serve the objectives of the Taylor Grazing Act. Briefly, the policy now taking definite shape in the Grazing Service is planned to:

1. Promote the public interest locally and nationally
2. Discourage private acquisition of public land unless the public land has inherent value higher than for grazing and raising forage crops
3. Coordinate use and management of range lands in grazing districts
4. Execute a common approach to conservation as a whole as opposed to its natural enemy--waste.
5. Stabilize the livestock industry by stabilizing the control, tenure, and resources of the land

Steps of major importance necessary to the success of this program include:

1. Careful classification of applications and proposals seeking to eliminate public land from the grazing districts. Unless it is clearly shown that the tracts have primary values that exceed forage, watershed, grazing, or other public values, the proposed elimination must be prevented.

2. The exchange program must be pushed. Especially is this true in the matter of State land, to promote better administrative control, to stimulate the production of revenue to the States, and to enable certain isolated tracts of public land outside of grazing districts to become absorbed in the tax-paying structures of the States and counties. Wherever it is in the public interest, applications for exchange within grazing districts should receive early action. There are many examples in which proper blocking of ownership immediately would remove existing administrative problems. For the present, exchanges will be encouraged when such exchange will promote better utilization and economical management of the lands involved.

3. Acquisition of control by leasing under the Pierce Act, cooperation with associations of stockmen, with other Federal agencies, with railroad companies, and with other landowners as well as with States and counties is receiving increasing attention in the Grazing Service. Great headway has already been made in Montana and Oregon under cooperative arrangement with the owners and users of private land in grazing districts. In Nevada and Utah the Southern Pacific Land Company and the Grazing Service have entered into a far-reaching agreement that will promote sane and economic use of the "checker-board" area which parallels the Southern Pacific for 20 miles on either side of its right-of-way across Nevada and northwestern Utah.

The tabulation of land ownership in grazing districts presents a picture of the problems inherent in a complex land pattern. In a way it presents in the 117,000,000 acres of non-Federal land an index to the difficulties that the Grazing Service has set out to overcome. It illustrates the necessity for making the land program a major project in each grazing district.

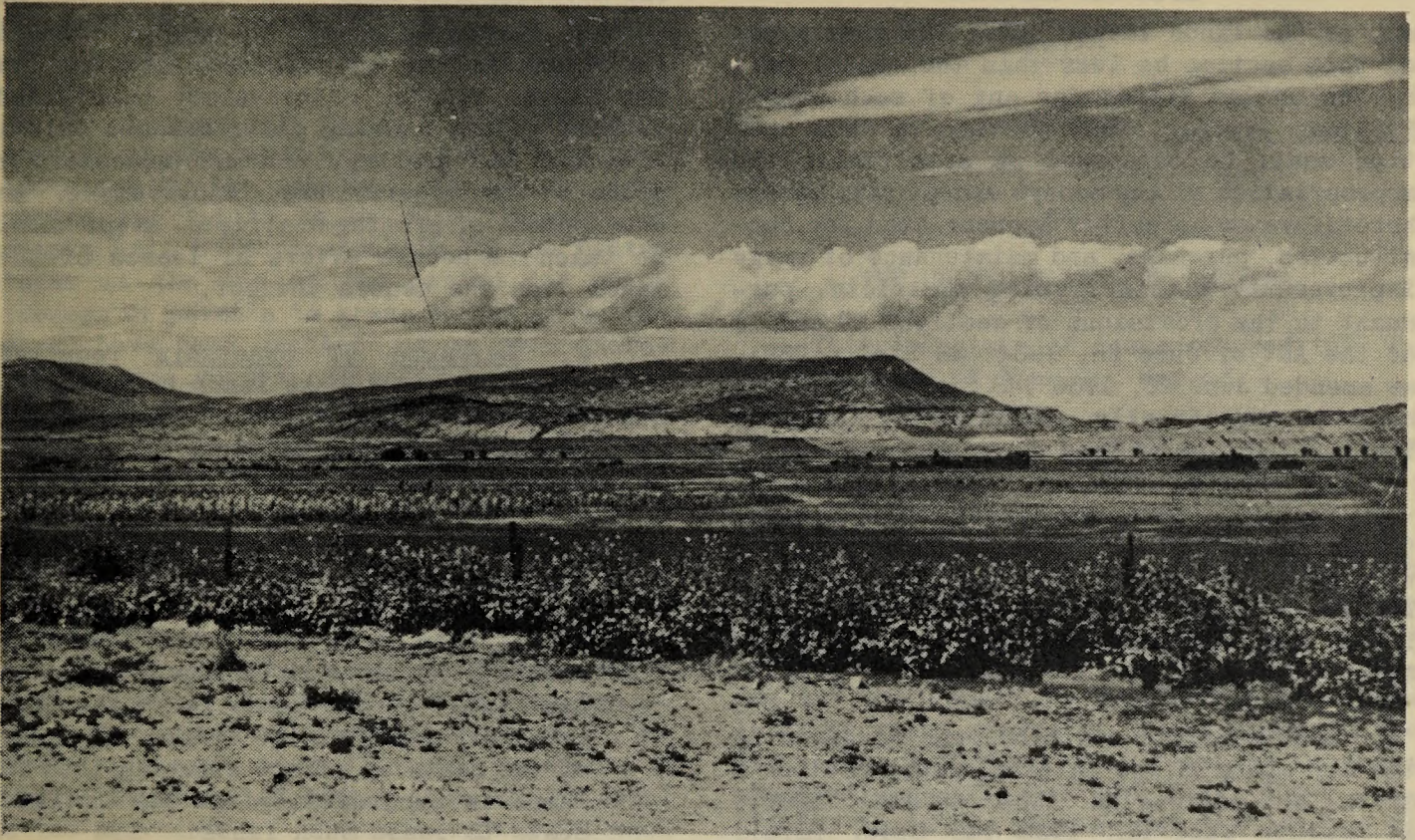
Significant progress has already been made in New Mexico. In that State more than 97 per cent of State land is leased to stockmen. Much of this leased land is within Federal grazing districts, and the lessees thereof are licensees and permittees under the Taylor Grazing Act. In accordance with negotiations now taking shape the State Land Commissioner of New Mexico will cooperate with the Grazing Service by issuing State leases for periods that harmonize with the period of license or permit issued to the same individual by the Grazing Service.

DEPARTMENT OF THE INTERIOR
GRAZING SERVICE
GRAZING DISTRICTS UNDER TAYLOR GRAZING ACT



- FIELD HEADQUARTERS AND REGIONAL OFFICES 1 AND 2.
- REGIONAL OFFICE
- DISTRICT OFFICE
- ▨ ESTABLISHED GRAZING DISTRICTS
- - - PROPOSED GRAZING DISTRICTS
- REGION BOUNDARY
- N.F. NATIONAL FOREST
- I.R. INDIAN RESERVATION
- N.P. NATIONAL PARKS
- N.M. NATIONAL MONUMENTS

Revised March 1940.



Private and Public Lands Have an Inseparable Relationship
in Grazing Areas. (Wyoming Grazing District No. 1)

THE ACT OF JUNE 23, 1938
(Commonly known as the Pierce Act)

Continued revenue production of all land valuable mainly for grazing within Federal grazing districts, regardless of its ownership, is now possible under the Taylor Grazing Act. In a grazing district containing a gross area of 2,000,000 acres of land there may be 300,000 acres of State and school land, and 200,000 acres of tax-default county land. Under proper land management, through provisions of the Pierce Act, this land will not only produce continued revenue to the owners but the land itself will be improved and become a lasting benefit to the respective owners. At the same time the land will be protected and improved to the mutual advantage of the resources and the livestock industry. All of the land within grazing districts suitable primarily for grazing may now obtain uniform administration and participate in the range-improvement programs of the Grazing Service.

Protection and orderly use of the land and additional income for State and county treasuries will be the direct benefit derived from this leasing program. It is believed that school funds of the public land States will be swelled beyond the fondest hopes of those who sponsored this legislation when the full impetus of its possibilities has taken definite shape.

Greater and lasting benefits will derive from restoration and orderly use of the soil,

water, and forage resources on additional millions of acres of land in the ten western "grazing" States.

Text of the Pierce Act, and Grazing Service regulations and leases issued in accordance therewith, follow:

(PUBLIC--NO. 708--75th CONGRESS)
(CHAPTER 603--3d SESSION)
(H. R. 7874)
AN ACT

To provide for the leasing of State, county, and privately owned lands for the purpose of furthering the orderly use, improvement, and development of grazing districts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior in his discretion is authorized to lease at rates to be determined by him any State, county, or privately owned lands chiefly valuable for grazing purposes and lying within the exterior boundaries of a grazing district when, in his judgment, the leasing of such lands will promote the orderly use of the district and aid in conserving the forage resources of the public lands therein: Provided, That no such leases shall run for a period of more than ten years and in no event shall the grazing fees paid the United States for the grazing privileges on

any of the lands leased under the provisions of this section be less than the rental paid by the United States for any of such lands: Provided further, That nothing in this section shall be construed as authorizing the appropriation of any moneys except that moneys heretofore or hereafter appropriated for construction, purchase, and maintenance of range improvements within grazing districts, pursuant to the provisions of sections 10 and 11 of the Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976), may be made additionally available by Congress for the leasing of land under this Act.

Sec. 2. That the lands leased under this Act shall be administered under the provisions of the Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976), commonly known as the Taylor Grazing Act.

Sec. 3. That contributions received by the Secretary of the Interior under section 9 of the Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976), toward the administration, protection, and improvement of any district shall be additionally available for the leasing of lands under this Act.

Sec. 4. All moneys received by the Secretary of the Interior in the administration of leased lands as provided in section 2 of this Act shall be deposited in the Treasury of the United States as miscellaneous receipts, but are hereby made available, when appropriated by the Congress, for the leasing of lands under this Act and shall not be distributed as provided under sections 10 and 11 of the Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976).

Approved, June 23, 1938.

REGULATIONS UNDER THE ACT OF JUNE 23, 1938
(52 STAT. 1033), FOR LEASING OF STATE,
COUNTY OR PRIVATELY OWNED LANDS IN
GRAZING DISTRICTS

The act of June 23, 1938 (52 Stat. 1033), commonly known as the Pierce Act, authorizes the Secretary of the Interior in his discretion to lease, at rates to be determined by him, any State, county, or privately owned lands chiefly valuable for grazing purposes and lying within the exterior boundaries of grazing districts created under the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended, when, in his judgment, the leasing of such lands will promote the orderly use of the district and aid in conserving the forage resources of the public lands therein. The following regulations are issued to carry out the purposes of the Pierce Act.

1. Lands which may be leased. When it is determined by the regional grazer that any State, county, or privately owned lands located within grazing districts are chiefly valuable for grazing, and are necessary to promote the orderly use, improvement, and development of grazing districts, steps should be taken to secure offers of leases of such lands from the owners thereof.

2. Evidence of ownership required. Parties offering to lease lands to the United States under the provisions of this act will be required to furnish evidence of ownership as follows:

a. Certificate of ownership for State or county lands. Where State and county lands are offered for lease, a certificate from the proper State or county official will be required showing that title to the lands is in the State or county and that the officer or agency of the State or county offering them for lease is empowered by the laws of such State to lease such lands.

b. Certificate of ownership for private lands. Where privately owned lands are offered for lease the party offering them will be required to file with the local office of the Grazing Service certificates from the proper county officials certifying that the records of their offices show that the party offering the lands for lease is the record owner thereof, and including an itemized statement showing the nature and extent of any liens, tax assessments, mortgages, or other encumbrances.

3. Form of lease. A form for use in the leasing of such lands is attached. This form is believed adaptable for use in all of the States within which grazing districts have been established under the Taylor Grazing Act and must be executed by the lessor in the manner prescribed by the laws of the State within which the lands leased are situated. No modifications of the terms of the lease shall be made without the approval of the Secretary of the Interior.

4. Period of lease. Leases may be made for such periods as are deemed proper by the regional grazer in promoting a proper land-use program in connection with the public range, not to exceed, however, the 10-year period as limited by the Pierce Act, beginning with the date of the approval of such lease.

5. Approval by Secretary. Local negotiations for leasing of lands under this act will be carried on by the regional grazer, but the lease and any renewal thereof, will

LEASE OF LANDS UNDER THE ACT
OF JUNE 23, 1938

between

and

6. Payment of rental. The carrying capacity of the lands will be taken into consideration by the regional grazier in negotiating the rental to be paid. Payment of rentals will be made annually by the United States at the end of the period for which licenses or permits to graze on the lands involved have been granted, or as soon thereafter as the moneys collected by the United States from its licensees or permittees for the use of such lands have been appropriated by the Congress in accordance with the provisions of the Pierce Act, and made available for such purpose, or moneys for the payment of such rentals have been made available through contributions under section 9 of the Taylor Grazing Act.

7. Computation of fees. The aggregate of the grazing fees collected for the use of the lands leased under the provisions of the Pierce Act must be sufficient to insure a return to the United States of an amount equal to the aggregate of the rentals paid for such lands and the aggregate of the grazing fees collected for the use of all of the lands leased in any one State must be at least equal to the aggregate of the rentals paid in that State.

8. Disposition of receipts. All moneys received by the Secretary of the Interior in the administration of lands leased under the Pierce Act will be deposited in the Treasury of the United States as provided in section 4 of that act and will be available when appropriated by the Congress for the leasing of lands. Distribution of such receipts, therefore, will not be made as provided in sections 10 and 11 of the Taylor Grazing Act.

9. Allocation of funds appropriated. Moneys received by the Secretary of the Interior in the administration of lands leased under the Pierce Act, when appropriated by the Congress, will be allocated to the budgets of the regional graziers for disbursement in accordance with that act and these regulations. Records of disbursements thereof will be maintained under existing procedure.

10. Improvements by the United States on leased lands. The procedure in placing improvements on any lands leased under the Pierce Act will be governed so far as practicable by the regulations contained in Circular W-159, approved by the Department August 9, 1938.

(Sgd) R. H. Rutledge
Director of Grazing.

Attachment.

Approved: January 26, 1940.

(Sgd) A. J. Wirtz,
Under Secretary.

This indenture of lease entered into in triplicate as of the _____ day of _____, 19____, by and between _____, of _____ county, of the State of _____, whose address is _____

and for..... heirs, executors, administrators, successors and assigns, party of the first part, hereinafter called the Lessor, and the United States of America, party of the second part, hereinafter called the Government, acting in this behalf by the Secretary of the Interior under, pursuant, and subject to the terms and provisions of the act of Congress approved June 23, 1938 (52 Stat. 1033), entitled "An Act to provide for the leasing of State, county, and privately owned lands for the purpose of furthering the orderly use, improvement, and development of grazing districts", referred to as the Act, which is made a part hereof:

WITNESSETH: That the parties hereto for the considerations hereinafter mentioned covenant and agree as follows:

1. The Lessor hereby leases to the Government the described tract or tracts of land situated in the county of _____, State of _____, and more particularly described as follows:

to be used for the purposes stated in the Act:

2. TO HAVE AND TO HOLD the said premises with their appurtenances for the term beginning....., and ending with.....

3. This lease may, by agreement of both parties, be renewed for successive periods of _____ years upon terms and conditions herein specified, provided that notice of intention to renew be given in writing to the Lessor at least _____ days before this lease or any renewal thereof would otherwise expire.

4. The Government shall pay the Lessor for the land leased hereunder, rent at the following rate:_____

Payment of rental shall be made annually at the end of the period for which licenses or permits to graze on the lands leased hereunder have been granted, or as soon thereafter as the moneys collected by the Government from its licensees or permittees for the use of said leased lands have been appropriated by the Congress, and made available for such purpose, or moneys for the payment of such rentals have been made available through contributions under section 9 of the act of June 28, 1934 (48 Stat. 1269).

5. The Government shall have the right during the existence of this lease to erect and maintain thereon, or permit to be erected or maintained thereon, fences, corrals, water pipe lines, reservoirs, tanks, or other structures necessary to the full enjoyment thereof for the purposes stated, which fixtures or structures so placed in or upon or attached to the said premises shall remain the property of the Government or its permittees or licensees, and shall be subject to removal therefrom, by the owners thereof, within..... days immediately following the termination of this lease or any renewals thereof.

6. The Government may exercise the right to surrender and terminate this lease if, by reason of any change in the status of the title to the lands leased hereunder, during the term of this lease, or any renewals thereof, the lessor shall be unable to comply with the covenants and agreements herein.

7. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this lease or to any benefit to arise therefrom, but this provision shall not be considered to extend to this contract if made with a corporation for its general benefit.

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names as of the date first above written. In presence of:

.....
Lessor

(Address)

UNITED STATES OF AMERICA,

By.....
Under Secretary of the Interior

(If Lessor is a corporation the following certificate shall be executed by the secretary or assistant secretary, and the corporate acknowledgment must be properly executed):

I,....., certify that I am the Secretary of the corporation named as Lessor in the

attached lease; that....., who signed said lease on behalf of the Lessor, was then..... of said corporation; that said lease was duly signed for and in behalf of said corporation by authority of its governing body, and is within the scope of its corporate powers.

{Corporate
Seal }

(If Lessor is a State or county, a certificate that the lease was duly signed for and in behalf of the State or county must be signed by the proper officer thereof and attached hereto.)

INDIVIDUAL ACKNOWLEDGMENT

State of.....))SS:
County.....)

Before me....., a..... in and for said County and State, on this..... day of..... 19....., personally appeared..... and..... to me known to be the identical person(s) who executed the within and foregoing instrument, and acknowledged to me that..... executed the same as..... free and voluntary act and deed and for the purpose therein set forth.

Witness my hand and official seal on the day and year above set forth.

Notary Public

My Commission expires....., 19.....

CERTIFICATE COVERING OWNERSHIP OF LAND INTENDED TO BE LEASED TO THE UNITED STATES OF AMERICA FOR GRAZING PURPOSES

I,....., (Name)

(Register of Deeds, County Recorder or other....., of the County of....., officer)
State of....., hereby certify as follows:

1. (a) That according to the official records of my office..... is the owner of the following described lands:

(b) That according to the official records of my office there are no outstanding leases of said property nor are there contracts covering the lease, sale or other disposition of said property, except as follows:

2. That according to the official records of my office and those of.....
(Indicate title
.....
of officer, such as County Treasurer, etc.)

there are no outstanding liens, taxes, mortgages or other encumbrances against said land, except as follows:
.....
.....

Witness my hand and official seal this
day of....., 194....
.....

NATIONAL PARK AND GRAZING SERVICES COOPERATE

Better to further the conservation programs of the National Park Service and the Grazing Service, and to coordinate range management plans with reference to livestock which graze part time in grazing districts and part time in reservations under the jurisdiction of the National Park Service, the Secretary of the Interior has approved a plan designed to make use of grazing areas within established national monuments and allow an orderly approach to proper land utilization.

By the provisions of the memorandum of understanding which was approved by Secretary Ickes on February 20, 1940, field representatives of both Services may now enter into local agreements and determine jointly the persons who are entitled to grazing permits on national park and monument areas. The numbers of livestock and areas to be grazed will be determined by the National Park Service. Fees will be charged on the same basis as those paid for similar use of adjoining grazing district lands.

This is a forward step in the stabilization of the livestock industry in the West, and a safeguard against unlawful trespass on national monument areas by livestock permitted to graze in adjoining grazing districts which often drift onto the monument areas.

Many areas in the West contain scenic, recreational, and grazing facilities in combination. One outstanding area where this new approach to "multiple use" will particularly operate to advantage is the area of grazing land in the Arizona "strip" country which embraces the Grand Canyon National Monument and Arizona Grazing District No. 1.

GRAZING DISTRICT MODIFICATIONS

Arizona

Orders withdrawing approximately 572 acres of land for forest administrative site purposes in 1908, were revoked and these areas included in Arizona Grazing District No. 1 by order of January 29, 1940.

California

Approximately 200 acres of public land in California Grazing District No. 1 were withdrawn, on January 13, 1940, for the use of the Civil Aeronautics Authority in the maintenance of air navigation facilities.

Idaho

Department Order of November 3, 1936, establishing Idaho Grazing District No. 2, was modified on December 16, 1939 to include approximately 680 acres of additional land.

New Mexico

Under order of March 6, 1940, there was a revocation of all stock driveway withdrawals affecting lands in Grazing District No. 7 and certain lands in Grazing District No. 2, aggregating 67,530.41 acres of grazing land.

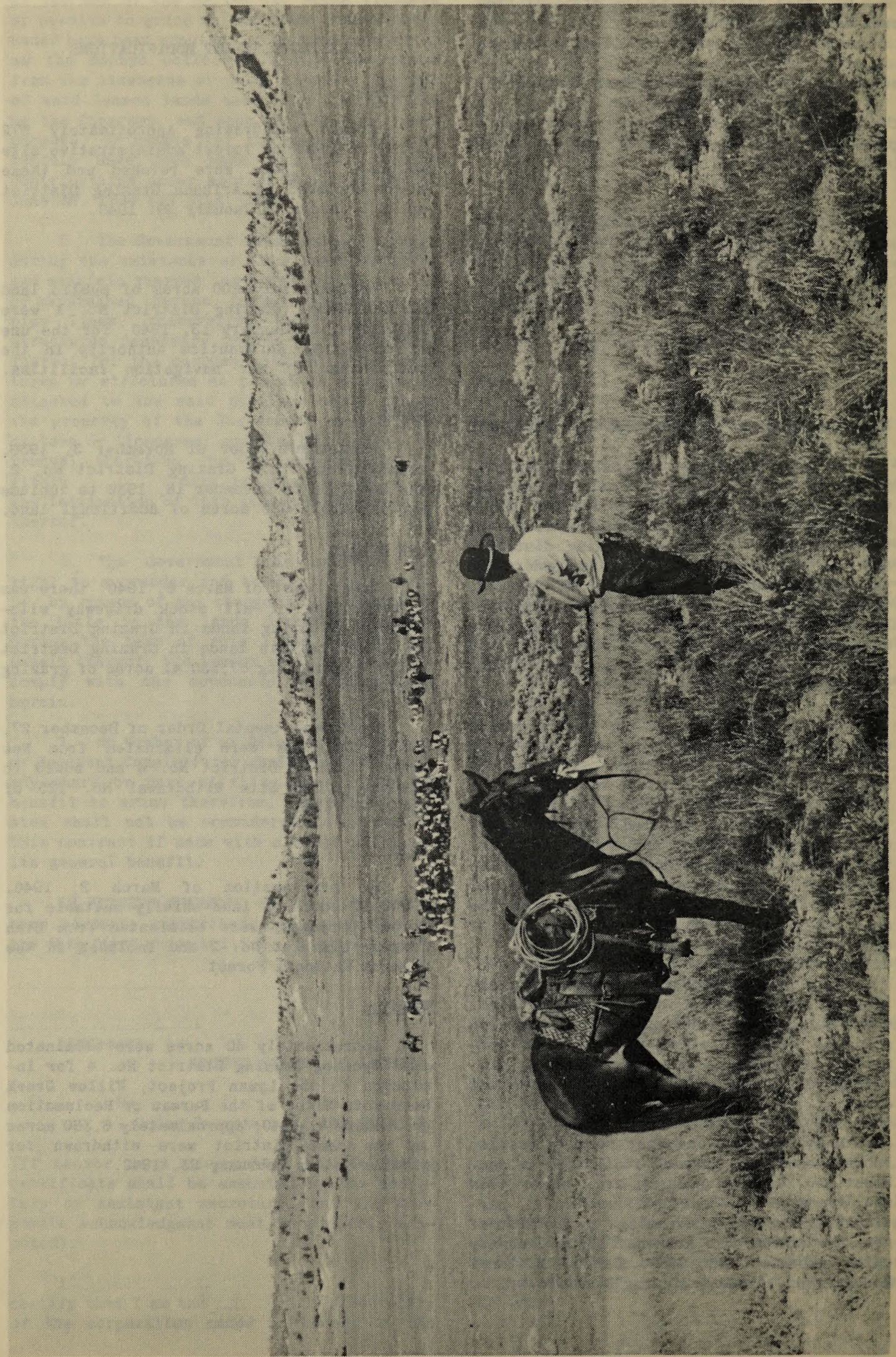
By a Departmental Order of December 27, 1939, 40 acres were eliminated from New Mexico Grazing District No. 4 and added to Air-navigation Site Withdrawal No. 125 of April 27, 1939.

Utah

By proclamation of March 2, 1940, 3,506.37 acres of land chiefly suitable for forest purposes, were eliminated from Utah Grazing District No. 2 and included in the Wasatch National Forest.

Wyoming

Approximately 40 acres were eliminated from Wyoming Grazing District No. 4 for inclusion in the Lyman Project, Willow Creek Reservoir Site, of the Bureau of Reclamation on January 4, 1940; approximately 6,360 acres in the same district were withdrawn for similar use on February 23, 1940.



(F. A. Photo)

SPRING ROUNDUP

RANGE PASTURE STUDIES IN NEW MEXICO GRAZING DISTRICTS

By: R. D. Nielson, Range Examiner in Charge

A system of range pasture studies, in cooperation with the ranchers, on representative range allotments in region 7 of the Grazing Service, has been inaugurated for the purpose of learning more about range reaction to a known use and to provide a more sound basis for proper range management plans.

In the course of natural selection (survival of the fittest) as governed by the very changeable and erratic climatic conditions, there has resulted a type of vegetation that responds readily to favorable conditions, that is able to withstand long period of drought and unfavorable conditions, and that is capable of perpetuating itself even under very adverse circumstances. Because of these adaptations the statement "It's either a feast or a famine" is often heard among ranchers when range conditions are being discussed.

To evaluate ranges of this nature requires more than skill. Long time records are necessary in order to arrive at fair averages and, even then, the deviation in some years from this average may be as much as a hundred percent in either direction.

Of the many factors influencing range conditions there are only a few which can be controlled by man and these are of secondary importance compared to those beyond man's control. We must take climatic conditions as they come. We can, to a certain extent, assist in putting available moisture to a better use by intercepting runoff. Prior to interference by man, numbers of grazing animals were limited to a natural balance by the amount of available forage. Man has upset this balance by providing artificial means of perpetuating and supporting his grazing herds through his introduction of cultivated forage crops and supplemental feeding. In spite of this disturbance and stress, imposed by man, nature still strives to bring about the balance, but, it is not attained. Consequently, the disturbance caused by excess grazing, amplifies its effect in geometric proportions.

We cannot predict what the future weather conditions will be. We can, if we have the proper past record, determine averages and project into the future, but the wide seasonal variation still remains to upset predictions. There are, however, certain indicators which express the trend of range

response to use and other influences, and it is to these that we must look for our standards or indicators of proper use.

By means of post-grazing season studies, sometimes called utilization checks, which take into consideration the relative composition of the vegetative association and the vigor and trend of each component species, soil condition, et cetera, range reaction to use can be very definitely recognized and abuse can be corrected. In order that these studies may be useful in setting up proper-use standards, it is necessary, of course, to know what use has been made of the particular area under observation, that is, class and number of stock and other grazing animals, the condition of the stock, and the period grazed. In short, it is necessary to know the response of the range to use and other influences as well as the response of grazing animals to their use of the range.

The system of range pasture studies, as contemplated by the New Mexico region, is predicated on these principles. With the cooperation of the rancher, records on the rate, class, and period of stocking, live-stock condition and increases, weather conditions, and at least yearly detailed observations and records on the response of the range to these influences, will be made. Such studies have been initiated on three of our Federal range allotments in New Mexico Grazing District No. 6 and, by 1941, we hope to have at least three such pasture-study areas in each of our grazing districts.

The studies will be progressive and after a period of years, should show whether or not we are accomplishing the purposes of the Taylor Grazing Act in range conservation and stabilization of the livestock industry.

Grazing district	Date established	Gross area	Unappropriated, unreserved public land	Withdrawn or reserved public land in grazing districts											Total land administered by Grazing Service			
				(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)		(l)	(m)	(n)
Arizona																		
1	July 9, 1935	3,390,000	2,267,863	6,110	4,520	344,513	4,920	37,921	--	--	--	--	--	--	--	397,984	2,665,847	
2	March 6, 1936	4,734,000	1,595,935	14,840	400	195,655	--	--	--	--	--	--	--	--	--	210,895	1,806,830	
3	July 14, 1938	4,915,000	4,142,549	--	--	--	--	--	--	--	--	--	--	--	--	--	4,142,549	
4	Feb. 14, 1936	2,140,000	1,005,332	30,860	360	--	--	--	--	--	--	--	--	--	--	31,220	1,036,552	
State total		15,179,000	9,011,679	51,810	5,280	540,168	4,920	37,921								640,099	9,651,778	
California																		
1	April 8, 1935	3,719,100	2,166,572	47,331	6,520	1,440	107,050	215,471	--	--	--	--	--	--	--	377,812	2,544,384	
2	April 8, 1935	4,353,700	1,042,523	3,574	3,807	--	43,446	15,560	--	400,000	--	--	--	--	--	466,287	1,508,910	
State total		8,072,800	3,209,095	50,905	10,327	1,440	150,496	231,031		400,000						844,199	4,053,294	
Colorado																		
1	July 9, 1935	4,071,100	2,399,233	26,248	2,896	--	14,984	110,931	68,444	--	--	--	--	--	--	223,503	2,622,736	
2	April 8, 1935	2,614,500	474,649	31,900	--	--	13,188	20,035	--	--	--	--	--	--	--	65,123	539,772	
3	April 8, 1935	4,147,400	1,668,334	30,214	1,961	1,600	113,439	1,760	--	--	--	--	--	--	--	148,974	1,817,308	
4	April 8, 1935	3,087,500	1,132,464	58,732	160	38,883	7,666	--	--	--	--	--	--	--	--	105,441	1,237,905	
6	July 11, 1935	1,943,000	845,636	5,950	2,228	160	6,254	15,906	--	--	--	--	--	--	--	37,298	883,034	
State total		15,863,500	6,520,316	152,944	14,245	40,643	155,531	148,632	68,444							580,439	7,100,755	
Idaho																		
1	April 8, 1935	9,150,000	5,174,429	44,368	7,911	--	149,520	240	--	--	--	--	--	--	--	202,039	5,376,468	
2	Nov. 3, 1936	7,084,400	2,396,465	6,305	1,920	--	--	11,880	--	--	--	--	--	174,880	--	194,985	2,591,450	
3	Nov. 3, 1936	4,000,200	2,432,741	1,230	880	--	104,160	--	--	--	--	--	--	--	--	106,270	2,539,011	
4	Nov. 3, 1936	1,679,700	1,229,308	20,904	1,600	--	61,192	--	--	--	--	--	--	--	--	83,696	1,313,004	
State total		21,914,300	11,232,943	72,807	12,311	--	314,872	12,120						174,880		586,990	11,819,933	
Montana																		
1	July 11, 1935	8,418,000	1,804,670	7,417	784	--	26,517	152,009	--	300,000	--	--	--	--	--	486,727	2,291,397	
2	July 11, 1935	9,085,200	1,015,400	2,840	1,969	--	5,200	89,179	--	300,000	--	--	--	--	--	399,188	1,414,588	
3	April 8, 1935	7,574,800	892,348	--	320	--	45,120	--	--	--	--	--	--	--	--	45,440	937,788	
4	April 9, 1935	746,200	221,429	640	--	--	--	--	--	--	--	--	--	--	--	640	222,069	
5	Nov. 3, 1936	1,721,700	538,879	15,949	2,052	--	25,494	21,068	--	--	--	--	--	--	--	64,563	603,442	
6	Oct. 4, 1939	4,500,000	445,100	--	--	--	--	--	--	--	--	--	--	--	--	--	445,100	
State total		32,045,900	4,917,826	26,846	5,125	--	104,331	262,256		600,000						996,558	5,914,384	
Nevada																		
1	April 8, 1935	10,864,000	6,846,295	8,440	--	--	--	--	--	--	--	--	--	--	--	8,440	6,854,735	
2	Oct. 18, 1935	13,202,000	9,090,430	207,079	--	--	--	--	--	--	--	--	--	--	--	207,079	9,297,509	
3	Nov. 3, 1936	7,741,400	5,621,323	41,340	880	--	240	21,163	--	--	--	--	--	--	--	63,623	5,684,946	
4	Nov. 3, 1936	8,835,800	7,914,101	--	--	--	--	--	--	--	--	--	--	--	--	8,640	7,922,741	
5	Nov. 3, 1936	5,299,200	4,601,447	229,900	--	--	--	--	--	--	--	--	--	--	--	238,900	4,840,047	
State total		45,942,400	34,073,296	486,759	880	--	240	21,163								526,682	34,599,978	

2	March 27, 1936	6,632,670	2,678,298	--	200	--	74,100	43,847	--	--	--	--	--	--	118,147	2,796,445
3	July 11, 1935	7,543,000	2,923,373	9,800	2,840	--	--	591,252	--	--	--	--	--	--	603,892	3,527,265
4	April 8, 1935	5,899,900	3,257,612	2,710	1,280	--	--	380	--	--	--	--	--	--	4,370	3,261,982
5	April 8, 1935	1,890,000	1,234,360	--	360	--	--	--	--	--	--	--	--	--	360	1,234,720
6	April 8, 1935	12,159,200	3,501,173	2,700	240	--	--	4,160	--	--	--	--	--	--	7,100	3,508,273
7 ⁵	Sept. 1, 1939	<u>3,504,330</u>	<u>1,017,970</u>	--	--	--	--	--	--	--	--	--	--	--	--	<u>1,017,970</u>
State total		37,629,100	14,612,786	15,210	4,920	--	74,100	639,639	--	--	--	--	--	--	733,869	15,346,655
Oregon																
1	April 8, 1935	171,000	95,646	--	80	--	--	--	--	--	--	--	--	--	80	95,726
2	July 9, 1935	9,126,000	5,624,621	13,045	14,134	--	--	280	--	--	--	--	--	--	27,459	5,652,080
3	April 8, 1935	4,654,000	2,504,661	8,700	3,540	--	--	--	--	--	--	--	--	--	12,240	2,516,901
4	April 3, 1935	2,903,000	2,286,893	8,600	4,960	--	--	--	--	--	--	--	--	--	13,560	2,300,453
5	Oct. 21, 1935	2,292,000	948,047	--	1,400	--	--	1440	--	--	--	--	--	--	2,920	950,967
6	Nov. 7, 1935	1,428,000	345,160	1,950	3,200	--	--	--	--	--	--	--	--	--	5,150	350,310
7	Dec. 18, 1936	<u>350,900</u>	<u>111,492</u>	221	120	--	--	--	--	--	--	--	--	--	<u>441</u>	<u>111,933</u>
State total		20,924,900	11,916,520	32,616	27,434	--	1,080	720	--	--	--	--	--	--	61,850	11,978,370
Utah																
1	April 8, 1935	4,714,000	1,135,503	5,004	2,254	--	--	320	--	--	--	--	--	--	378,523	1,521,604
2	April 8, 1935	6,256,000	3,970,526	6,120	6,565	--	--	--	--	--	--	--	--	--	12,685	3,983,211
3	April 8, 1935	6,540,500	4,748,864	9,887	9,049	--	--	--	--	--	--	--	--	--	18,936	4,767,800
4	April 8, 1935	4,177,500	2,373,170	4,601	3,172	--	--	1,554	--	--	--	--	--	--	34,273	2,407,443
5	May 7, 1935	4,255,000	3,899,057	61,431	1,837	--	--	320	--	--	--	--	--	--	75,028	3,974,085
6	June 22, 1935	4,712,000	2,367,324	128,184	5,244	--	--	--	--	--	--	--	--	--	223,076	2,590,400
7	May 7, 1935	4,570,900	3,404,602	55,771	44,513	--	--	640	--	--	--	--	--	--	130,954	3,535,556
8	June 22, 1935	945,000	830,096	22,337	480	--	--	1,510,966	--	--	--	--	--	--	1,640,367	2,470,463
9 ⁶	Sept. 15, 1939	<u>2,200,000</u>	<u>1,815,680</u>	--	--	--	--	--	--	--	--	--	--	--	--	<u>1,815,680</u>
State total		38,370,900	24,544,822	293,335	73,144	--	53,034	1,513,800	--	--	--	--	--	--	378,523	27,066,242
Wyoming																
1	March 23, 1935	3,784,900	2,515,775	8,930	2,318	--	68,362	--	--	--	--	--	--	--	79,740	2,595,515
2	Oct. 31, 1936	2,575,300	1,863,183	347	3,616	--	201,474	--	--	--	--	--	--	--	205,437	2,068,620
3	Oct. 31, 1936	6,130,200	3,162,771	11,156	15,445	--	320,161	--	--	--	--	--	--	--	346,732	3,509,503
4	Oct. 31, 1936	7,436,700	4,186,661	51,877	32,579	--	162,436	--	--	--	--	--	--	--	246,892	4,433,553
5	Oct. 31, 1936	<u>1,808,600</u>	<u>1,015,015</u>	5,260	5,420	--	64,448	--	--	--	--	--	--	--	<u>74,828</u>	<u>1,089,843</u>
State total		21,735,700	12,743,405	77,570	59,348	--	816,581	--	--	--	--	--	--	--	953,629	13,697,034
Grand total	53 districts	257,678,500	132,782,688	1,260,802	213,014	--	1,619,071	2,867,282	155,028	1,000,000	116,000	199,520	378,523	--	8,445,735	141,228,423

¹Chargeable against 142,000,000 acreage limitation in the Taylor Grazing Act as amended.
²Subject in whole or in part to grazing-district administration but not chargeable against grazing-district acreage limitation. Columns (e) to (i), included in the General Land Office tabulation as of June 30, 1939;
column (j) to (n), inclusive, not included in that tabulation.
³Private land.
⁴Formerly a part of Montana Grazing District No. 2; withdrawn or reserved land included in figures for No. 2.
⁵Formerly a part of New Mexico Grazing District No. 2; withdrawn or reserved land included in figures for No. 2.
⁶Formerly a part of Utah Grazing District No. 6; withdrawn or reserved land included in figures for No. 6.

PLANS FOR CONTROL OF FIRES ON FEDERAL RANGE LANDS

By E. R. Greenslet, Chief of Range Surveys

The arrival of spring is a signal for teeming activity in the Federal range country of the West. Livestock begin normal movements from range to range, from feed lot to market, or from winter to summer pastures as the case may be. Farmers put the soil in shape for the new crops. Hotels, resorts, dude ranches, and travel bureaus get ready for a fresh and thriving business to be stimulated by vacation days that are just around the corner. As spring slips quietly into summer, the need is apparent for care, vigilance, plans, and preparations to protect from fire the valuable forage, timber, and watersheds of the West.

For the first few years following the passage of the Taylor Grazing Act in 1934, the Grazing Service was engaged primarily in the organization of grazing districts and the recruitment of personnel and equipment necessary to set the law in motion. Attention was directed mainly to urgent problems of the moment, the principal one being the establishment of grazing control and regulation in the districts. Although from the beginning fire problems were recognized as an important responsibility, complete plans to combat fires had to await the procurement of the necessary facilities. By 1938, such facilities made possible by the CCC camps resulted in more attention to range fire problems.

The grazing districts embrace a gross area of about 258,000,000 acres having a wide variation in topography and climatic conditions. Taken as a whole, the summer season is the period of the greatest fire hazard, but there are areas in this vast territory, particularly in the southwestern States, where fire may occur any month of the year. From the standpoint of fire control, therefore, the job is a continuing one throughout the year. The period June 1 to November 1, however, is considered the high-frequency fire period in most districts.

Because of a combination of influencing factors, there has been an increasing number of fires occurring on public ranges during the last two or three years. The increase in grass fires indicates that the improved growth conditions resulting from protection and management have intensified fire hazards, especially during the summer months when the grass matures. It seems logical to expect a further increase in our fire problems, more or less in direct proportion to the degree of range recovery. Realizing this, the Grazing

Service took steps in July 1939 to make a rather detailed survey of the fire problems region by region. As a result of this survey, plans have been made to provide an adequate fire control organization for every region.

Fire suppression in grazing districts has been handled largely through the facilities of the CCC camps. These camps give a good coverage over the entire grazing district territory. According to present plans, all main camps and many of the side camps are to be equipped with either a 10-, 25-, or 50-man cache of fire tools, the size of the cache and the type of tools to be determined on the basis of the probable number and nature of fires which the camp will most likely be called upon to handle. During the fiscal year ending June 30, 1939, this Service was called upon to suppress a total of 239 fires. The area burned totaled about 177,000 acres or an average of nearly 700 acres per fire. The labor involved in the control of these fires totaled approximately 11,000 man-days, most of which was enrollee labor. This fire-control program was carried out with a total of only nine minor accidents, the most serious of which was a sprained ankle.

The principal types of fire with which the Service has to contend are grass, grass and brush, and brush fires. There are some timber fires on areas within grazing districts, but for the most part these are limited in number and are more or less localized. Under cooperative arrangements with the Forest Service, the Office of Indian Affairs, and the National Park Service, Grazing Service men are subject to call to assist in the control of fires on areas supervised by the above-named agencies. Likewise, those agencies are called upon, when feasible, to assist in the control of grazing district fires. During the past fiscal year, the Grazing Service assisted in the control of 19 fires that occurred on public lands supervised by other agencies.

The types of fires occurring most frequently on grazing district lands do not, as a rule, require the amount of labor involved in the control of timber fires. On the other hand, range fires generally travel very rapidly. For that reason, control has been most successful when small, mobile, well-equipped, and well-trained crews have been used. To protect and follow out a plan suitable for effective fire control on the



FIRE! Range Fires Consume Valuable Livestock Forage and Endanger Agricultural Land

grazing district territory, the following lay-out is needed:

1. A good detection system
 - a. Lookout stations
 - b. Cooperation with ranchers
 - c. Cooperation with air transportation companies
 - d. Cooperation with State highway patrols
2. Well-organized dispatch system
 - a. Chief dispatcher
 - b. Phone
 - c. Radio
3. Suppression crews
 - a. Small mobile, well-equipped, and well-trained crews available at all times in every CCC camp
 - b. Per diem guards (roving)
 - c. Part-time fire guards, such as ranchers or country storekeepers, who will have authority to employ temporary help to assist in the control of fires.
(This plan is proposed to give protection to areas not readily serviced by our CCC organization.)

PRESUPPRESSION

Presuppression is a very important feature of any well-organized plan for the control of fire. If properly carried out, such a program not only serves to reduce materially the number of fires occurring but also operates effectively in reducing the labor and time necessary to suppress fires once they have started. Experience has demonstrated that fire lanes, properly placed, are one of the most effective means of reducing the number of fires occurring along highways, railroads, and other rights-of-way used by the public.

EDUCATION AND TRAINING

Education of the public and properly trained leaders with adequate fighting crews are absolute essentials in any fire-control program. The safety of enrollee crews is of paramount importance. It is often very difficult, because of the complex land pattern in grazing districts, to place properly the blame in connection with certain fires. In one instance last summer, the Grazing Service was severely criticized for not taking steps to control a fire found burning entirely on privately owned land. There is no doubt that the fire was a source of danger to surrounding Federal range, but upon investigation it

was found that the owner felt he had a right to burn his land if he so desired, and it was his belief that the fire was under control. A properly directed educational campaign will go far to remedy situations of this nature.

The organization of State fire districts is very desirable as a means of providing better control of fires in areas where considerable privately owned land is involved. Steps in this direction already have been taken in some States. The plan in the Grazing Service is for every region to have a man with considerable experience in fire-control work in charge of the fire-control program. He will be responsible for the preparation of

fire plans and for the coordination of all phases of the program into an efficient and effective unit. Training of personnel will be one of his most important duties. In co-operation with the Forest Service, considerable advancement in the training of Grazing Service employees and enrollee crews has already been made. Unfortunately, some of the value of this training in the camps has been lost because of the fact that the boys did not always have the proper type or an adequate supply of equipment with which to work. This condition has been largely corrected and will be improved upon as far as funds are provided and the program is coordinated throughout the regions.

GRAZING SERVICE ADMINISTRATION EXTENDED TO RECLAMATION AREAS

Secretary of the Interior Harold L. Ickes approved on March 7, 1940, a plan of cooperation between the Bureau of Reclamation and the Grazing Service, providing for range administration by the Grazing Service of grazing lands in areas withdrawn for reclamation purposes which, temporarily at least, can best be utilized for grazing purposes. Under terms of a memorandum of understanding between the Commissioner of Reclamation, John C. Page, and the Director of Grazing, Richard H. Rutledge, the plan promises further to integrate the conservation activities of the Department of the Interior. It makes possible the protection and regulation for grazing of approximately 10,000,000 acres of public land now in outstanding reclamation withdrawals. Rules and regulations governing the administration of grazing districts will be applicable to these reclamation withdrawal lands over which the Grazing Service will assume administrative control.

The records of the Bureau of Reclamation indicate that existing withdrawals include a gross area of 21,830,042 acres in the following States, approximately one-half of which is public land: Arizona, 5,086,822; California, 5,186,802; Colorado, 1,319,794; Idaho, 1,437,360; Montana, 817,740; Nebraska, 308,867; Nevada, 2,332,610; New Mexico, 243,400; North Dakota, 36,220; Oregon, 991,470; South Dakota,

190,420; Utah, 357,280; Washington, 1,732,678; Wyoming, 1,788,579.

The text of the memorandum of understanding between the two Services of the Department of the Interior is as follows:

Pursuant to the Act of June 17, 1902 (32 Stat. 388) and Acts amendatory thereof or supplementary thereto (hereinafter referred to as the Federal Reclamation Laws) and to Section 12 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended, it is hereby agreed and understood between the Bureau of Reclamation and the Grazing Service, Department of the Interior, as follows:

1. Whereas many of the lands withdrawn for reclamation purposes under the Federal Reclamation Laws, prior to the time when they are needed in connection with the construction or operation and maintenance of a reclamation project, can best be utilized for the grazing of livestock; and

2. Whereas many of such withdrawn lands are or may be located within the exterior boundaries of grazing districts established under the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended, without being a part of a grazing district, the Secretary of the Interior not having approved the inclusion of them in a district; and

3. Whereas range administration of such withdrawn lands can best be effected by the Grazing Service, particularly since the same stock grazes part time on grazing district lands and part time on such withdrawn lands; and

4. Whereas 5¢ per animal unit month (as the phrase "animal unit month" is used in the administration and practices of the Grazing Service) is a reasonable return to the Reclamation Fund for the use of such withdrawn lands for grazing purposes: --

5. The Bureau of Reclamation will, from time to time, submit to the Grazing Service lists describing such withdrawn lands as it desires to have administered by the Grazing Service pursuant to the terms of this understanding; and the Grazing Service will notify the Bureau of Reclamation as to which of the lands so listed it will administer pursuant to the terms of this understanding, including in such notice the date when it will assume administrative control over said lands.

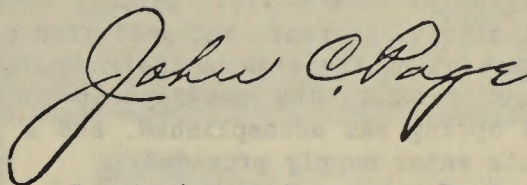
6. Such lands as, pursuant to paragraph 5 hereof, the Grazing Service administers for grazing purposes shall be administered by said Service in accordance with the Federal Range Code unless otherwise expressly provided herein. It is agreed (1) that the grazing fees for such lands shall not be less than 5¢ per animal unit month; (2) that no refund of a grazing fee for any of such lands shall be made unless application therefor is made within 30 days after the expiration of the grazing period described in the license; (3) that the Grazing Service shall make every reasonable effort to obtain final disposition of such applications for refunds within five months from the receipt of any such application; (4) that subject to "(2)" above, refunds of grazing fees for any of such lands, which may be made by the Grazing Service, shall be deducted from the grazing fees collected for the lands before payment is made to the Bureau of Reclamation as provided in paragraph 8 hereof.

7. On all licenses and permits issued by the Grazing Service involving lands covered in this memorandum, there shall be noted in conspicuous type the following: "See stipulations attached hereto and made a part hereof." The attachment will set forth in clear and concise language any provisions which are required to conform to the terms of this memorandum and which are not in accord with the Federal Range Code.

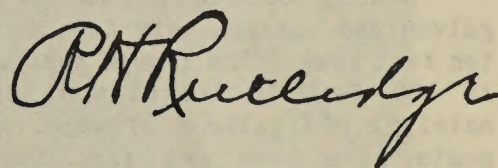
8. The Grazing Service shall pay to the Bureau of Reclamation for disposal under the applicable Federal Reclamation Laws the grazing fees collected in connection with the

lands placed under the administration of the Grazing Service pursuant to this agreement, less such refunds of such fees as may be made in accordance with the provisions of paragraph 6 of this memorandum. The amount of grazing fees for such lands shall be computed on the basis of actual use thereof at the rate of not less than 5¢ per animal unit month, as determined by the Grazing Service. Said payments shall be made to the Bureau of Reclamation by the Grazing Service annually upon a calendar year basis. The accounting for such payments shall be in such manner, agreed upon by the Grazing Service and the Bureau of Reclamation, as will meet the accounting requirements of both.

9. Any lands placed under the administration of the Grazing Service pursuant to this understanding, including lands covered by outstanding licenses or permits, may be withdrawn therefrom by the Bureau of Reclamation upon the giving of twelve months notice in writing to the Grazing Service.

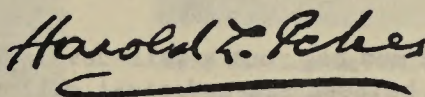


Commissioner, Bureau of Reclamation



Director of the Grazing Service

Approved: March 7, 1940.



Secretary of the Interior.

WATER DEVELOPMENT ON THE FEDERAL RANGE IN UTAH

Almost as if touched by a magic wand, an oozy black bog in southwestern Utah has been transformed from a former death trap for range livestock in search of water into a natural fountain of pure, clear, and sparkling water.

For many years stockmen of the range country in the vicinity of the Burbank CCC camp in Snake Valley had lamented the loss of their stock in the sticky black mud and hoped for the day when the oozy blackness might be converted into a practical source of water supply for the many cattle, horses, and sheep that grazed in the area. But the task seemed too great, and the possibility of success remote. Then came the vigor, youth, and enthusiasm of the Civilian Conservation Corps enrollees at camp G-117. Through their determination, interest, and unlimited energy, and careful supervision by their superintendent and foremen, the development of Needle Point Spring was accomplished, and a practicable water supply provided.

Needle Point Spring is now enclosed in a galvanized caisson, six feet in diameter and ten feet long. The trough that has been added is 180 feet in length and holds approximately 2,000 gallons of water. Large cedar posts have been set five feet apart and braced with timbers. The trough has been placed on top of 2" x 6" timbers which have been bolted to the cedar posts. Gravel on either side prevents cattle from bogging near the troughs.

No longer a mud bog, but a well-developed spring yielding between six and eight gallons of sparkling water per minute, the project has received the plaudits of stockmen and ranchers throughout the locality. One can now see cattle and sheep trailing long, dusty miles for a drink at Needle Point and contemplate the great contribution that water development on the Federal range has already made to conservation and to the livestock industry of the West.

In its small way, this one development has taken its place in the program to make possible the use of vast areas of grazing lands heretofore of little value because of shortage of water.

The Grazing Service has included extensive water developments in its program of rehabilitation and conservation of the Federal

range. Accomplishments in Utah are indicative of the work being conducted in the ten Federal range States.

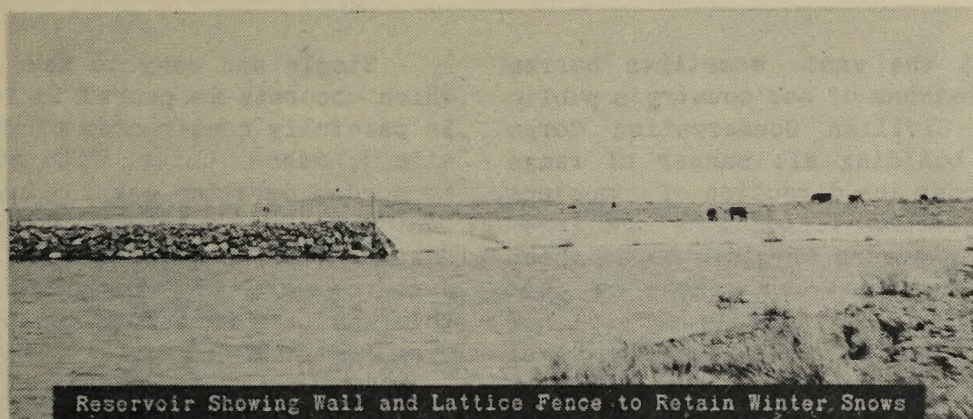
These range improvements have not been confined to any one district or locality, but have been distributed throughout the whole State. At the present time over 50 wells are maintained and operated for livestock watering in Utah grazing districts. The deep wells are either operated by gas engines or by windmills. In connection with the wells are water storage tanks of 14-gauge galvanized steel, varying in capacity from 5,000 to 7,000 gallons of water. Iron pipes lead from the tanks to 16-gauge galvanized steel watering troughs, many of which have a capacity of 1,200 gallons and are sufficiently large to service a herd of sheep in a comparatively short time. Men are employed to operate the wells and to keep them in running condition.

To date 1,187 check dams have been built and over 270 open reservoirs, with capacities from 1 to 200 acre feet of water have been constructed. Others are now in the process of construction. The dams are made of dirt and most of them rock-faced. These reservoirs have been supplying many thousands of livestock with water through the dry, hot summer and fall months.

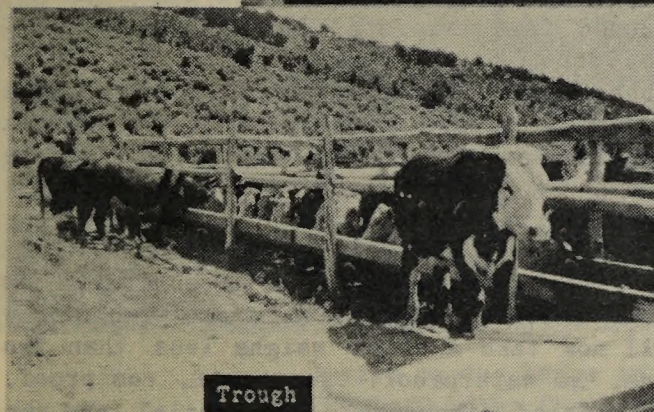
Altogether 171 springs have been developed, 20 miles of diversion ditches and ten miles of open-water ditches have been constructed, and 15 miles of pipe and tile lines and conduits laid.

It would be futile to attempt to place an estimate on the value received from water developments made by the Grazing Service through the splendid cooperation of the Civilian Conservation Corps; it cannot be measured by the expenditures incurred, nor by the number of livestock that have been benefited by them. Flood waters have been retained and erosion of soil has been lessened.

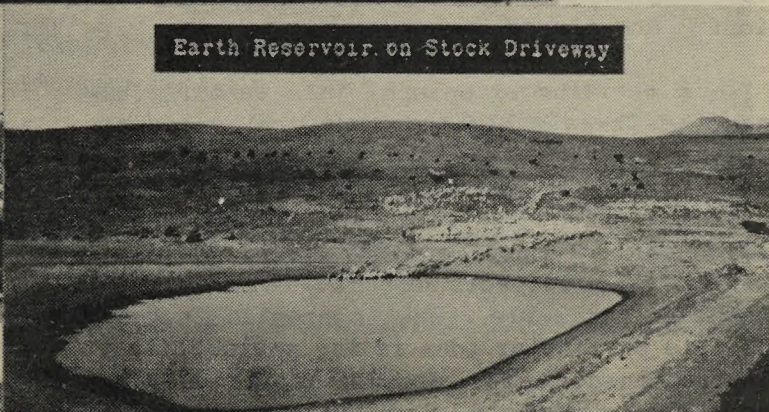
STOCK WATER DEVELOPMENTS OF THE GRAZING SERVICE ARE
IMPORTANT ASSETS TO THE RANGE LIVESTOCK INDUSTRY



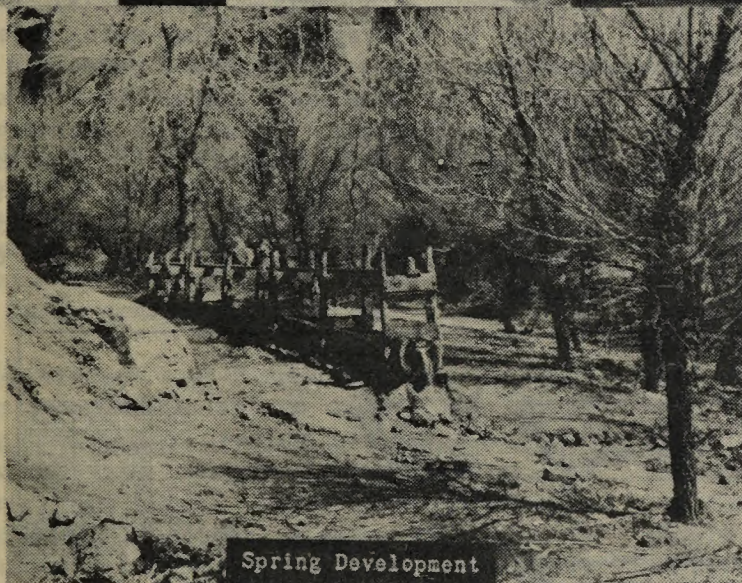
Reservoir Showing Wall and Lattice Fence to Retain Winter Snows



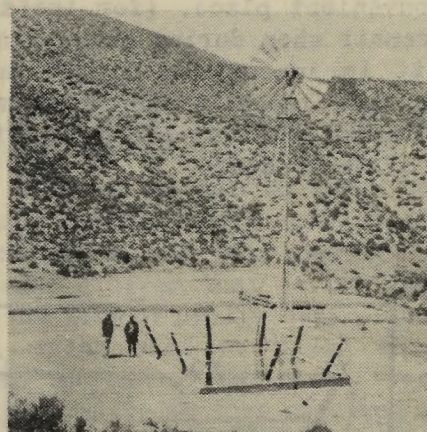
Trough



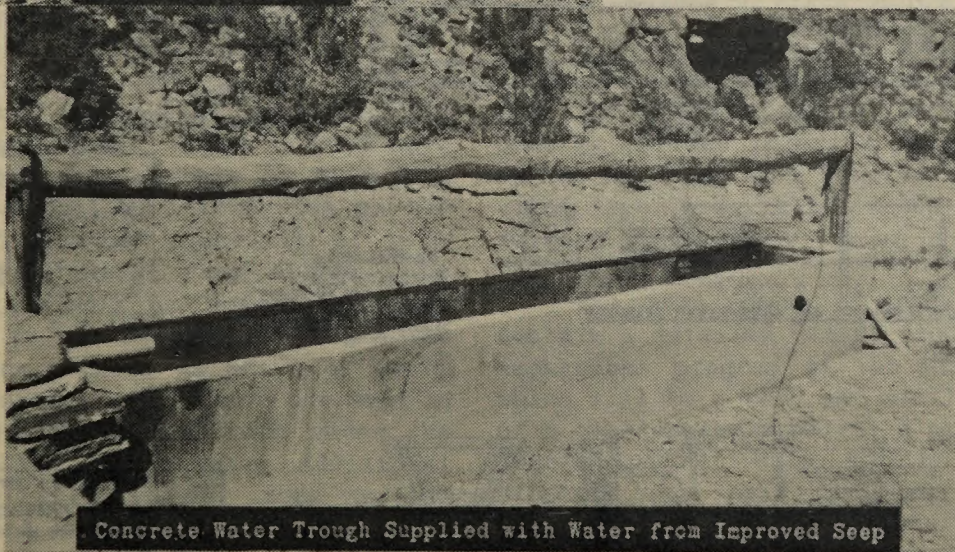
Earth Reservoir on Stock Driveway



Spring Development



Well Development Showing Storage Tanks and Concrete Troughs



Concrete Water Trough Supplied with Water from Improved Seep

NEW DESIGN IN WATER TROUGH PROVES PRACTICABLE

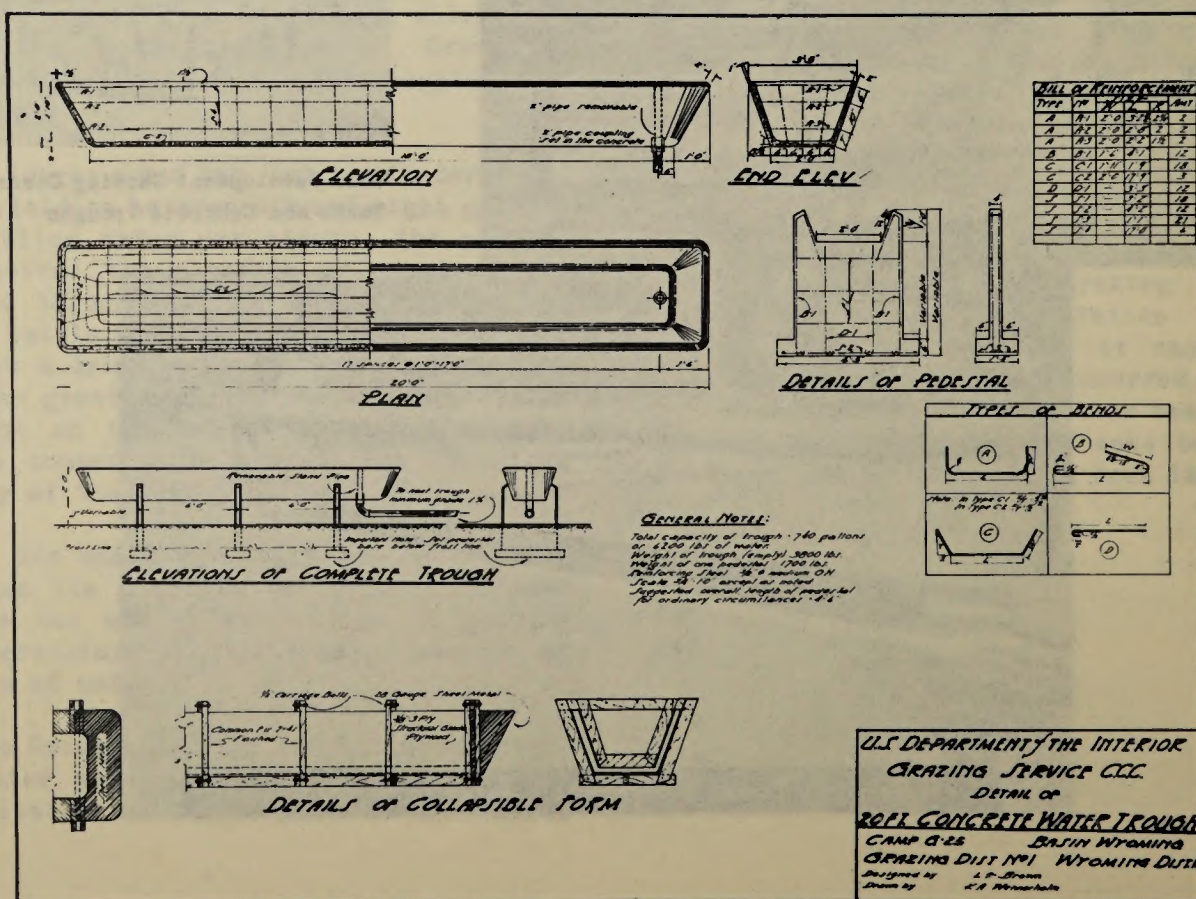
Throughout the vast, sometimes barren and isolated, reaches of our country's public domain areas, Civilian Conservation Corps enrollees are building all manner of range improvements under the direction of competent engineers, project superintendents, and foremen. Like the pioneers of olden days, these men are often required, by reason of particular need or circumstance to develop new ideas of design, or to create new gadgets for their mechanical equipment. Already many of these innovations have been conceived, fashioned, and placed in use.

A striking example of this resourcefulness has been exhibited by a project superintendent of a Grazing Service camp in Wyoming who has designed a reinforced concrete trough of light weight, suitable for stock watering purposes in connection with spring developments, well projects, or for corrals where water is available. The interesting novelty of this particular idea is the portability of the component parts. Complete units — trough and three pedestals — may be constructed in one convenient place, (for instance, in the camp repair shop during snowy winter weather when it is impossible to get out onto the range) and later transported and erected where needed at strategic points far from the place of manufacture.

Simple and easy to make, the mold into which concrete is poured to form the trough, is carefully constructed of ply-wood, braced with finished lumber, with sheet metal ends to accommodate the curving end corners. The inside and the outside are formed with equal care so that the form can be disassembled with ease to remove each trough as it is cast. In this way, the same form can be used over and over again.

The concrete shell, when hardened and removed from the form, is 20 feet long, 3½ feet wide, and 2 feet deep. It is only 2 inches thick at any point. Inclining sides and ends outward form a safeguard against freezing temperatures as ice which might form within the trough would cleave free of the sides without rupturing the shell.

The complete reinforced concrete cup from which Molly the western range cow will now take a drink weighs less than two tons, is waterproof, frostproof, rustproof, bulletproof, thoroughly substantial, and can easily be conveyed to the site selected. The three reinforced concrete pedestals which support the finished trough have been designed in a similar manner to conserve weight yet provide ample support to withstand the load imposed. Outlet pipes, fitted with removable overflow nipples, are a part of the design. A detailed drawing of the design follows.





Cattle on the Range in Idaho Grazing District No. 4
(Photo © Idaho Chamber of Commerce)

RANGE MANAGEMENT

During the past five years a large part of the work incidental to conservation and management of the Federal range has been devoted to fact-finding. Facts are essential as basic fundamentals upon which to build a sound range management program.

Settlement and disposal of public lands during the three-quarters of a century preceding the Taylor Grazing Act had developed an exceedingly complex situation on the western range lands. The social, financial, and political economy of the West was so interwoven into the pattern that it was very inadvisable to attempt any readjustment prior to completion of this fact-finding work. Through the invaluable aid of the advisory boards, most, but not all of the essential data have been gathered. Range surveys have covered a considerable acreage of range and have furnished essential information on the carrying capacities and usability of privately owned and Federal range lands. The range-adjudication work has progressed to a point where it is now possible to begin the issuance of term permits in parts of every district. As further adjustments are made in connection with the land pattern under the Pierce Act of 1939, and otherwise, additional term permits will be issued. Term permits are now in effect in three districts.

Each one of the thousands of range allotments, whether individual or for common use, presents its own particular problems,

and the manner of handling livestock in the different States varies much more than would be imagined. The variations in range conditions and in livestock management practices are being considered and provided for in a range-management program that is now getting under way in the form of preliminary planning. These plans, which will be based on past experiences in the use of the range together with the administrative actions required under the Taylor Grazing Act and other laws affecting the use of Federal lands and resources, should form a sound basis for a new and improved range-livestock economy.

The cooperative development and application of these plans by the advisory boards and the administrative personnel of the Grazing Service insure a practical approach in the handling of a problem of increasingly vital importance to the whole economy of the western States.

The next issue of the Bulletin will contain a detailed description of the range-management program of the Grazing Service, which will be a word and statistical picture of a challenging problem—a problem of vital importance not only to the thousands of stockmen and their families, but to their employees and the far greater multitudes of people whose daily lives are affected in more ways than they suspect or imagine by what happens in the great open ranges of the West.

OBSERVATIONS OF A WYOMING LICENSEE

By Roy P. Davidson, Rancher from

Wyoming Grazing District No. 1

Overgrazing of forage on the range lands of our western States dates back to the introduction of domestic livestock to a point where it threatened to destroy native feeds in many parts of the West.

These unsightly conditions often showed up to a marked degree in past dry years when the scant grazing would not carry half the stock found on the open range. During those critical times, Mother Nature seemed to enter into the game and presented us with a cold, severe winter. This was likely Nature's way of coping with civilization for abusing her laws. The results were that the range became speckled with the carcasses of thousands of livestock.

Our memories may easily dwell upon those sad, pitiful pictures. We found during those times vast numbers of sheep and cattle hopelessly weak, suffering from bitter cold and starvation. These animals would stumble over a log or sagebrush, and being so pitifully weak and unable to rise would perish in such positions.

In the early days, some notable cattle baron would own, say, 50,000 head of cattle under his various brands, but not enough hay to feed a saddle horse. These are some of the reasons why Nature's plans have been smashed by the coming of civilization. The old system of livestock raising was nothing more than a hit-or-miss gamble.

The Taylor Grazing Act was given to the stockmen to protect local taxpayers and to adjust these "gambling" circumstances. Most of its rules seem to center around the local taxpayer's protection and to afford insurance against the old methods of loss. It has given local stockmen certain rights and privileges that were formerly unknown to him. The principal reason for the passage of the Act was the excessive greediness of the stockmen. Open ranges were overcrowded. The local rancher endeavored to save a little "outside" feed adjacent to his taxable property. By all rights of fairness, this feed was rightly his. His few dozen or so head of cattle could easily be watched while they grazed upon such adjacent land. But along came a "range hog", who grubbed this feed into the ground and even trespassed on the local rancher's private property.

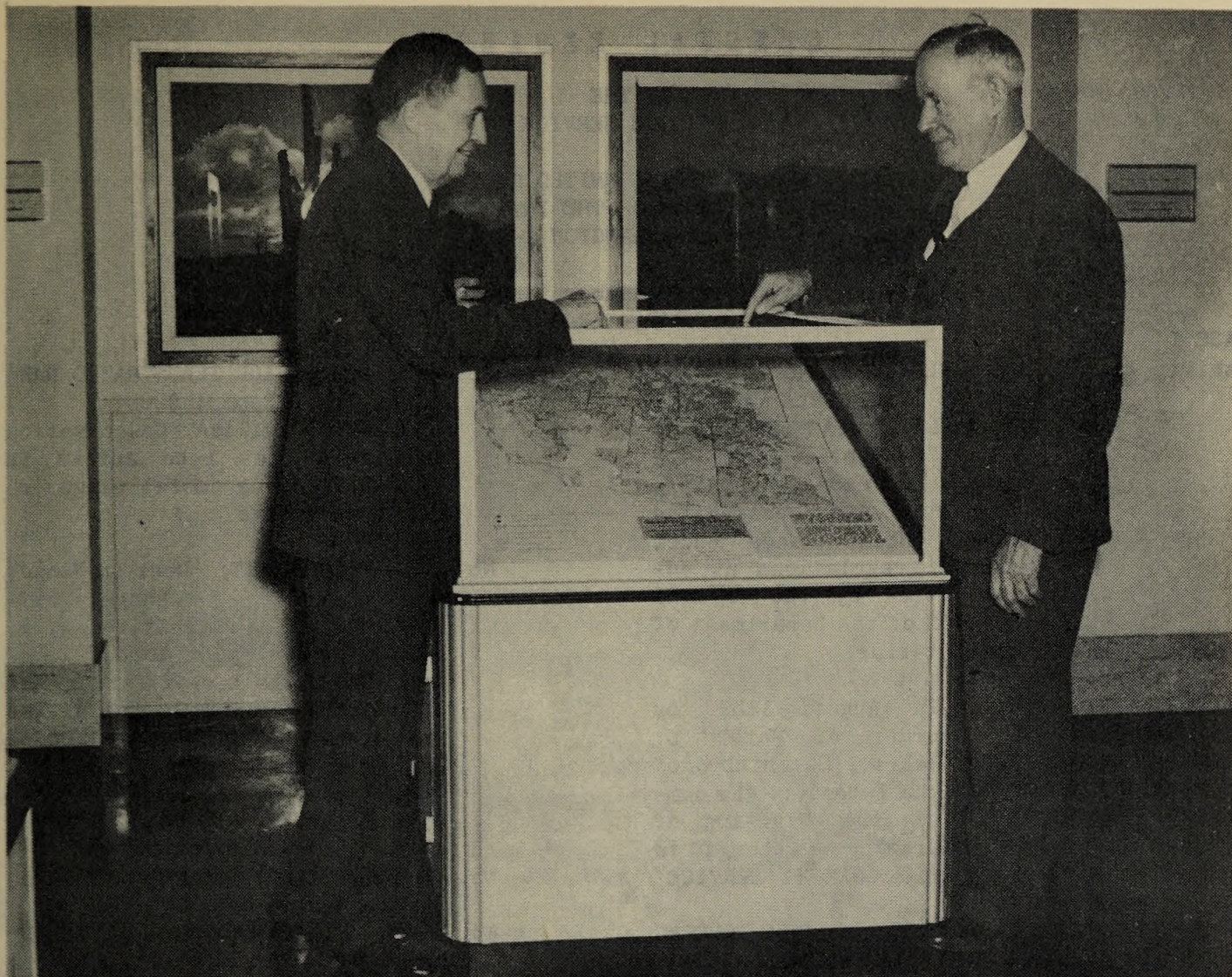
Instances such as these created unrest and bitter disappointment, but, with the enforcement of the Taylor Grazing Act, many of these hopeless, unsatisfactory conditions are being adjusted. Ranchers formerly menaced by these "range hogs" are now given protection under the far-spreading arms of our big "Uncle." Allotments have been allowed, and the holder is experiencing many protections that he had never known before.

This new bill was a terrible blow to "Mr. Range Hog." It hit him directly between the eyes. A few made some feeble efforts to carry on their hogging game. Some of these fellows wondered what the grazing board could do about it. Some of them found out—to their financial disappointment.

Certain harsh methods were necessary in order to enforce discipline and to muzzle the "range hog." Such compulsory measures were needed if this bill was to stand up under such tests and give most stockmen certain means of protection that they had so long been seeking.

At the introduction of the Taylor Grazing Act, many stockmen were of the opinion that this method of range control would take off with the clockwork efficiency of our present postal system. Such efficiency will develop if given time, but we must understand that our present dry years are a handicap. The ex-stockmen who are designated to supervise this new system (the district graziers) must be given the necessary time to learn how to "lean into their collars", so to speak. It is equally important that we range men abide by the rules. Tests are being made, and, should these prove hopeless and inefficient, adjustments naturally will be in order.

However, it will take time to get this new system of range control into the well-organized machine which it will eventually become. It will require much teamwork and effective cooperation from all concerned.



Director of Grazing R. H. Rutledge (right) explains to Under Secretary of the Interior Alvin J. Wirtz, the extent of grazing activities in western United States as portrayed on the map which was included in the recent special exhibit of the Grazing Service in the Museum of the Department of the Interior, Washington, D. C.

SPECIAL EXHIBIT DEVOTED TO THE

GRAZING SERVICE

SHOWN IN INTERIOR DEPARTMENT MUSEUM

The present status of grazing in the 53 Federal grazing districts and highlights of the activities in western United States of the Grazing Service, Department of the Interior, were featured in a special, pertinent exhibit in the Museum of the Department of the Interior during November, December, and January. Expertly arranged maps, charts, photographs, and other material made up the exhibit.

Mr. H. L. Raul, Museum Curator, pronounced the exhibit very successful. Said Mr. Raul: "A great many of our visitors had no idea of the extensiveness of western range areas and seem to have given grazing very little thought in the past. They went away from the exhibit realizing the purpose and scope of grazing activities in the West and

expressing hearty approval of the conservation work of the Federal Government."

The exhibit is to be shipped to the New York office of the United States Travel Bureau, National Park Service, for display in the exhibit hall of that Bureau in New York City during the summer months.

The Interior Museum in Washington, which has been appropriately called an "Exposition of Conservation", serves as a logical and efficient instrument to visualize and explain the manifold activities of the Department. Open to visitors without charge, the Museum is visited each month by between 3,000 and 4,000 persons from as many as 40 States and 16 foreign countries.

C A T A L O G

SPECIAL EXHIBIT

OF THE
GRAZING SERVICE

MUSEUM OF THE UNITED STATES
DEPARTMENT OF THE INTERIOR
WASHINGTON

November, December, January
1939 - 1940

CASE I

Exhibit No. 1 THE TAYLOR GRAZING ACT, Approved June 28, 1934 (48 Stat. 1269) and amended June 26, 1936 (Public, 827, 74th Cong.) has made it possible to protect and conserve the vital public lands under federal regulations as administered by the GRAZING SERVICE of the Department of the Interior.

Note: In August 1939, by order of Harold L. Ickes, Secretary of the Interior, the name of the Division of Grazing was changed to the GRAZING SERVICE.

No. 2 THE BUILDING OF THE FEDERAL RANGE

(Reprinted from the Congressional Record of June 29, 1939.)

No. 3 CONSERVATION COUSINS: Grazing and Parks (Reprinted from the Congressional Record of February 16, 1939.)

No. 4 PHOTO EXHIBIT

"Underneath the Taylor Grazing Act runs the principle of better range, better watersheds, a better livestock business, and better homes in the range regions of the West. Surely any man may be proud to have had the privilege of expressing this principle in law. No less important is the duty and privilege of the Department, the Grazing Service, and the stockmen to vitalize this principle and make it effective through administrative procedure. To this end I am sure that I can dedicate every effort of the Service and of every one of its personnel.

R. H. Rutledge,
Director of Grazing."

No. 5 TENTH PERIOD ILLUSTRATED NARRATIVE: Report CCC

The Civilian Conservation Corps has been active in developing useful range improvements.

No. 6 PHOTO EXHIBIT: Deer on Winter Range, District No. 1, Idaho.

Under the Taylor Grazing Act GRAZING SERVICE activities promote the CONSERVATION of game animals and birds.

(Refer to chart No. 2, Exhibit case No. 3.)

No. 7 THE GRAZING SERVICE: "BEFORE"

No. 8 THE GRAZING SERVICE: "AFTER"

No. 9 GRAZING SERVICE BULLETINS

CASE II

Exhibit No. 10 Hand colored revised map showing the GRAZING DISTRICTS UNDER THE TAYLOR GRAZING ACT, operating in Washington, Oregon, California, Montana, Idaho, Nevada, Wyoming, Utah, Colorado, Arizona, and New Mexico. Indicated are locations of field headquarters and regional offices, established grazing districts, proposed grazing districts, region boundaries, national forests, and Indian reservations.

Quotation from "GRASS",
by John J. Ingalls:

"Sown by the winds, by wandering birds, propagated by the subtle horticulture of the elements which are its ministers and servants, it softens the rude outlines of the world. It invades the solitude of deserts, climbs the inaccessible slopes and pinnacles of mountains, and modifies the history, character, and destiny of nations. Unobtrusive and pa-



DIORAMA: Grazing on the Public Domain (A Permanent Exhibit in the Central Exhibit Gallery of the Interior Department Museum)

tient, it has immortal vigor and aggression. Banished from the thoroughfares and fields, it bides its time to return, and when vigilance is relaxed or the dynasty has perished it silently resumes the throne from which it has been expelled, but which it never abdicates. It bears no blazonry of bloom to charm the senses with fragrance or splendor, but its homely hue is more enchanting than the lily or the rose. It yields no fruit in earth or air, yet, should its harvest fail for a single year, famine would depopulate the world."

CASE III

Exhibit No. 11 Typical GRAZING SERVICE markers used to guide the stockmen and the public traveling through Federal range territory.

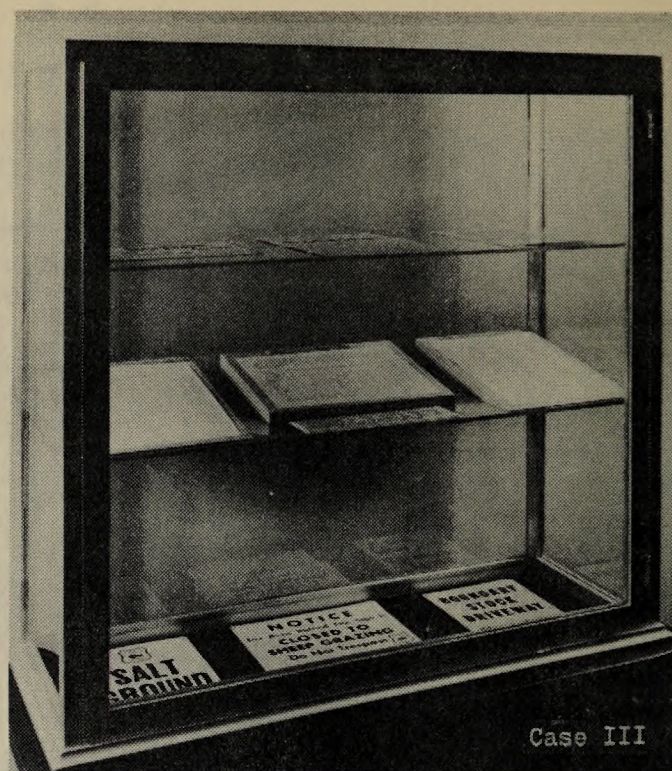
No. 12 Statistical Chart No. 1:
SUMMARY OF GRAZING LICENSES:
LIVESTOCK

No. 13 Statistical Chart No. 2:
GAME AND WILDLIFE

No. 14 Statistical Chart No. 3:
PRESENT STATUS OF GRAZING

No. 15 DIORAMA: GRAZING ON THE
PUBLIC DOMAIN

(This diorama is a permanent exhibit displayed in the central exhibit gallery of the Interior Department Museum.)



Special Exhibit of Grazing Service in the Museum of
the Department of the Interior, Washington, D. C.

NATIONAL LIVESTOCK ORGANIZATIONS ELECT OFFICERS

The major national livestock organizations elected new officers at their annual conventions in January. Because of the prominence of these organizations in matters affecting the grazing areas, a list of these officers is presented for the information of the public.

Officers of the American National Live Stock Association

President

J. Elmer Brock.....Kaycee, Wyoming

First Vice-President

Frank S. Boice.....Sonoita, Arizona

Second Vice-Presidents

Ezra K. Baer.....Meeker, Colorado

Jay Taylor.....Amarillo, Texas

C. J. Abbott.....Hyannis, Nebraska

A. D. Brownfield.....Florida, New Mexico

W. H. Donald.....Melville, Montana

Secretary-Treasurer

F. E. Mollin.....Denver, Colorado

Traffic Counsel

Charles E. Blaine.....Phoenix, Arizona

Assistant Traffic Counsel

Calvin L. Blaine.....Phoenix, Arizona

Officers of the National Wool Growers Association

President

C. B. Wardlaw.....Del Rio, Texas

Honorary President

F. A. Ellenwood.....Red Bluff, California

Vice Presidents

Sylvan J. Pauly.....Deer Lodge, Montana

T. J. Drumheller.....Walla Walla, Washington

G. N. Winder.....Craig, Colorado

Secretary-Treasurer

F. R. Marshall.....Salt Lake City, Utah

Executive Committee

Geo. H. Wilbur.....Mesa, Arizona

Marshall Bond.....Westhaven, California

M. E. Noonan.....Kremmling, Colorado

H. B. Soulen.....Weiser, Idaho

W. G. Gilbert.....Dillon, Montana

Gordon Griswold.....Elko, Nevada

Floyd W. Lee.....San Mateo, New Mexico

Mac Hoke.....Pendleton, Oregon

E. S. Mayer.....San Angelo, Texas

W. D. Candland.....Mt. Pleasant, Utah

A. E. Lawson.....Yakima, Washington

H. J. Devereaux.....Rapid City, South Dakota

J. B. Wilson.....McKinley, Wyoming

THE MONTANA GRASS CONSERVATION ACT

The Taylor Grazing Act of 1934 removed from the category of "free range" all the public land not theretofore placed in some type of reservation. Thus it became obvious that there no longer existed the right of anyone to graze any land without authority of ownership or control—control in the sense that it consists of lease, grant, or license from the appropriate authority.

To meet this trend and in furtherance of conservation of the range and stabilization of the livestock industry in Montana, the Legislature of that State passed the Montana Grass Conservation Act, a synopsis of which follows:

By an act approved March 17, 1939, the Legislative Assembly of the State of Montana repealed certain sections of the Revised Statutes of Montana 1935, and all acts or parts of acts relating to State grazing districts in conflict therewith and enacted new legislation for the purpose of better providing for the conservation, protection, restoration and proper utilization of grass, forage and range resources of the State and the stabilization of the livestock industry.

The act has for its purpose the setting up of a form of grazing administration which will aid in the unification or control of all grazing lands within the State where the ownership is diverse and the lands intermingled. It also provides a means for cooperation with the Secretary of the Interior in accordance with provisions of the Taylor Grazing Act and with other Governmental and State Departments or agencies having jurisdiction over related matters.

The act establishes the Montana Grass Conservation Commission to assist in carrying out the purposes of the act. The Commission is to act in an advisory capacity with the State Land Board and County Commissioners and to supervise and coordinate the formation and operation of the cooperative, non profit grazing districts which are provided for in the act. The Commission is granted such powers as may be necessary and incidental to carry out the purposes and intent of the act. The Commission is composed of five members appointed by the Governor with the approval of the Senate for terms of four years. It is required that these members be representative of both the stock-raising industry and the public. The law provides that they shall be chosen as follows: One member to be appointed from the Montana Stockgrowers' Association, one from the Montana Woolgrowers' Associa-

tion, one from the County Commissioners' Association, one from one of the cooperative grazing districts, and a fifth to be a person representing the general public, familiar with the livestock industry. The members of the Commission are to receive no compensation for their services but shall be allowed their actual expenses while attending meetings.

The Commission has authority to impose such fees against the several State districts in an amount not in excess of 5 cents per animal unit, based upon the number of animal units per year for which the district grants permits, to pay any and all expenses created by the State Grass Commission and to reimburse the treasurer of the State for any and all appropriations provided by the State for the establishment of the Commission and the administration of the act.

Provision is made for the organization of cooperative grazing districts embracing areas suitable for administration under the act to be controlled by an organization of livestock operators who own or control lands within the proposed district. These districts are to operate under the supervision of the Commission. Statements of intention to organize a district must be submitted to the Commission, together with a plat showing the proposed boundaries of the area. The Commission is required to make a full inquiry into the advisability of the creation of the district and provide for necessary hearings. If the creation of the district appears feasible, beneficial, and desirable to the majority of those who own or control more than 50 percent of the lands to be included in the district, the Commission may issue a certificate of approval. After issuance of the certificate of approval, the applicants may proceed to incorporate, filing articles of incorporation in the form and manner specified in the act and as prescribed by the Commission. Upon issuance of a certificate of incorporation, the district is required to file with the county clerk of each county in which its lands lie a map or plat of external boundaries of the district, together with a copy of the articles of incorporation.

State districts, among other things, are authorized to purchase or market livestock or livestock products, to acquire forage-producing lands by lease, purchase, cooperative agreements or otherwise, either from the United States, the State, or the county or counties in which the lands are located, or from private owners. Each district is clothed with authority to manage and control the use of

the range within its boundaries, to make necessary improvements, fix grazing fees for the purpose of paying leases and operating expenses, and assessments on an animal-unit basis for the purpose of acquiring lands and constructing improvements, and to do other things necessary to the orderly operation of the act within the boundaries of the district. It is granted the power to regulate the driving of livestock upon or across the lands in the district, the grazing of stock thereon, and to impose proper sanitary provisions, regulations and practices.

The grazing of livestock or the driving of the stock upon lands of the district without a permit is made a misdemeanor subject to a fine of not less than \$10 and not more than \$500. Provision is also made for the impounding and sale of trespassing livestock in the manner provided by section 3379 of the Revised Code of Montana, 1935.

Privately owned or controlled lands which are not part of the range upon which permits are granted to maintain livestock are classed as commensurate property. Dependent commensurate property is property which requires the use of range in connection with it to maintain its proper use, and which produces or whose owner furnishes as part of his past customary practice the proper feed necessary to maintain livestock during the time other than the established grazing period on the range, and which has been used in connection with the range for a period of any three years or for any two consecutive years in the five-year period immediately preceding June 28, 1934.

In the granting of grazing privileges those owning or controlling dependent commensurate property may be given a grazing

preference, which is appurtenant to the dependent commensurate property upon which it is based.

A provision is contained in the act that a sufficient carrying capacity of range is to be reserved for the maintenance of a reasonable number of wild game animals to use the range in common with the livestock grazing in the district and the Commission is authorized to act in an advisory capacity to the State Fish and Game Commission for the protection of the wildlife within the boundaries of all grazing districts.

In view of the repeal of former enactments under which grazing districts have been organized the act requires that the organization and articles of incorporation of existing districts shall be amended to comply with the act and that the proposed amendments be submitted to the Commission for approval before filing with the Secretary of State.

Recognizing the necessity for some means of bringing about a unified control in areas where the land ownership is greatly diversified and intermingled, and taking advantage of the authority granted in the Tayler Grazing Act, the Secretary of the Interior has entered into 28 cooperative agreements with local associations of stockmen in Montana. These associations operate in Federal grazing districts.

The State grazing associations organized under the original association act of 1935 have been prompt in complying with the reorganization required under the Montana Grass Conservation Act. The results are more uniform administrative procedure, increased public interest and relationship and a strong advance in the conservation of Montana's greatest natural resource--grass.

